

Remarks

Claims 1-22 were presented for prosecution and claims 1-3, 5-10, 12-16 and 18-22 remain pending. By this Amendment, claims 1, 8, 15 and 21 have been amended. The above amendments and the following remarks are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-3, 5-10, 12-16 and 18-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement and the enablement requirement. Applicants respectfully traverse this rejection.

Regarding the written description requirement, the Office basically argues that "the data obtained by the system in its entirety is not equivalent to data obtained only by the magnetic read head." (Office Action at page 3). Applicants submit that in making the above assertion, the Office unfoundedly narrows the scope of the data obtained by, and the scope of the meaning of, a magnetic read head. It is well known in the art that electronic

signals/waveforms need to be converted to digital data to be processed. As such, a magnetic read head, as used in the current invention, inherently includes a mechanism to convert electronic signals to digital data, which is well known in the art. For example, regarding MICR read head, the cited prior art reference of Kruppa (US 6,243,504) discloses that “[t]hese signal images are converted into digital data, stored, and then compared to known images of MICR characters using a magnetic image processor[.]” (Col. 2, lines 20-23, emphasis added). In addition, the disclosure of the current application clearly indicates that the data obtained by a magnetic read head is capable of being read by a MICR-based algorithm to identify E13B characters, i.e., the data obtained by a magnetic read head is digitalized as it is well known in the art that a MICR-based algorithm can only recognize digitalized data. (See page 2, lines 1-2, “[o]nce the characters are magnetically read, well established MICR-based algorithm are implemented to identify each E13B character.”) As such, the original disclosure of the application already makes it clear that a multigap read head inherently includes a system to convert electrical signals to digital data to be recognized by a MICR-based algorithm. In addition, the data obtained by a multigap read head inherently includes digital data to be recognized by a MICR-based algorithm. In view of the foregoing, the original disclosure meets the written description requirement. Nevertheless, by this Amendment, claims 1, 8, 15 and 21 have been further amended to clarify this feature.

Regarding the enablement requirement, the Office basically argues that “[e]ven if the data obtained by the magnetic read head and the OCR scanner were digitalized ... the digital data would not be equivalent because the real world characteristics they represent are not the same.” (Office Action at page 5). Applicants respectfully disagree. The data obtained by the magnetic read head and the OCR scanner both represent the E13B character data. The

differences are that the OCR data originally is in grey scale and with a different resolution than the data obtained by a multigap MICR read head. (See the current specification at page 5, line 8 to page 6, line 10.) Conversion system 18 of the current invention converts the OCR data to black and white format, and then scales the data to the resolution of the data obtained by a multigap MICR read head. As disclosed in the specification, methods of scaling are well known in the art. In addition, the current specification discloses examples of OCR data resolution (e.g., 200-600 dpi) and the resolution of the data obtained by a multigap MICR read head (e.g., 0.33 millimeters/pixel in the horizontal dimension and 0.43 millimeters/pixel in the vertical dimension). (See the current specification at page 5, line 20 to page 6, line 1.) As such, the disclosure of the current application is enough to enable a person of ordinary skill in the art to implement the invention without undue effort. In view of the foregoing, Applicants submit that the rejection under 35 U.S.C. 102, first paragraph is defective, and should be withdrawn.

Conclusion

Applicants respectfully submit that the application is in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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